

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

RED BARN MOTORS, INC., PLATINUM
MOTORS, INC., and MATTINGLY AUTO
SALES, INC., individually and on behalf of
other members of the general public similarly
situated,

Plaintiffs,

v.

NEXTGEAR CAPITAL, INC. F/K/A DEALER
SERVICES CORPORATION,

Defendant.

Case No. 1:14-cv-01589-TWP-DLP

DEFENDANT NEXTGEAR CAPITAL, INC.'S
MOTION FOR TELEPHONIC STATUS CONFERENCE

Defendant NextGear Capital, Inc. (“NextGear”) respectfully requests that the Court hold a telephonic status conference to address how the case should proceed following remand.

The parties have submitted statements of position outlining their views of the status of the case following the decision of the U.S. Court of Appeals for the Seventh Circuit. [Docs. 275, 277.] NextGear believes that Plaintiffs have misrepresented NextGear’s position and framed various issues in a misleading way. Rather than submit additional briefing to respond to Plaintiffs’ position statement, NextGear submits that it would be most efficient for the Court to convene a telephonic status conference to address the parties’ competing views of how the case should proceed at this critical juncture.

Respectfully submitted, this 27th day of March, 2019.

s/ Tracey K. Ledbetter

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served upon the following counsel of record via the Court's electronic service notification system, this 27th day of March, 2019:

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